IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 24300 of 2005

Between:

1. Revathi @ Ghousiya W/o. K.Surender Kumar
   R/o. Anjaiah Nagar, Kukatpally, Hyderabad
2. Kalyam, Suredner Kumar S/o. Kalyam, Parandhama
   R/o. Anjaiah Nagar, Kukatpally, Hyderabad

..... PETITIONERS

AND

1. The Station House Officer, Langer house Police Station

Hyderabad
2. The Station House officer, Asif Nagar Police Station,

Hyderabad
3. Md. Masthan S/o. Md.Galid
   R/o. 13-4-431/E/A/4,Moghal Nagar Ring Road, Hyderabad
4. Kalyam Parandhama S/o. Mallaiah
   R/o. 12-2-563/31/A, Gudimalkapur, Hyderabad

.....RESPONDENTS

The Court made the following:

ORDER:

Questioning the action of the respondents in trying to interfere with the peaceful

marriage of the petitioners, the present writ petition has been filed.

The case of the petitioners, in brief, is that when the 1st petitioner was studying degree, herself and the 2nd petitioner fell into love with each other and informed their respective parents about their love and requested them to perform marriage. Because of difference of religion, their parents did not accept for the same. Thereafter, they approached the Arya Samaj and requested to perform their marriage and their marriage was performed on 27.10.2005 by the said Arya Samaj after the first petitioner converted from Muslim religion to Hindu religion and changed her name as Revathi. Thereafter, the 3rd and 4th respondents gave respective complaints to the 1st and 2nd respondents respectively as a missing case and the 1st and 2nd respondents, without registering any crime, trying to search for them. The petitioners approached the respondents 1 and 2 and informed about their marriage. But, the police insisting them to separate with each other and joined with their parents. Hence, the writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Having regard to the facts and circumstances of the case, I am of the considered opinion that without there being any report or complaint against the petitioners, it cannot be said that the petitioners have committed any crime in the eye of law. The marriage between the persons belong to two religions is not a crime either in the Muslim Law or in the Hindu Law.

Therefore, without going into the merits of the case, I deem it appropriate to direct the respondents not to interfere with the life and liberty of the petitioners and in living them as husband and wife peacefully. However, if there is any report or complaint made by any person alleging that they have committed a cognizable offence, it always open for the respondents 1 and 2 to register the case and investigate into the same in accordance with law.

With the above observation, the writ petition is disposed of. No costs.

_____

(V. ESWARAIAH, J)

Date: 15.11.2005

Ksn